

KLAFTER OLSEN & LESSER LLP

ATTORNEYS AT LAW

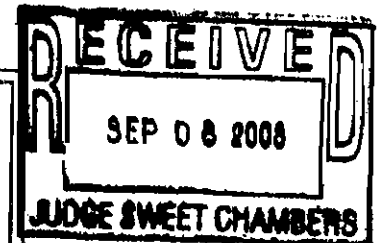
1311 MADISON AVENUE, SUITE 220 WHITE PLAINS, NEW YORK 10605
914-997-5656 • FAX 914-997-2444 • www.klatterolsen.com

September 5, 2008

Via Facsimile

Hon. Robert Sweet
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 9/9/08



Re: *Ryersen v. Merrill Lynch & Co., Inc., et al.*
07-CV-3564 (RWS)

Dear Judge Sweet:

We represent the Plaintiff in the above-referenced matter and we are writing to request an extension of the discovery cutoff date and motion deadline in this action from September 8, 2008 to November 7, 2008 and an adjournment of the pretrial conference from September 24, 2008, to a date that is convenient for the Court after November 7th. This is the parties' third request for such extension (and the Plaintiff's first). Defendants have consented to this extension.

The Plaintiff is requesting this extension due to the fact that as of August 1, 2008, I switched firms. Although I am still handling this case and I am the primary attorney responding for this file, this move have caused unexpected delays and transition issues which have delayed scheduling depositions in this case. Notwithstanding these transition issues, to date, the parties have conducted the named Plaintiff's deposition, as well as one of Defendants' 30(b)(6) witnesses. The parties need to schedule 2 or 3 additional 30(b)(6) depositions of Defendants, as well as some follow-up paper discovery, which we intend to conduct as expeditiously as possible.

Although the parties have worked diligently to complete discovery within the time allotted by the Court, due to the foregoing, the parties both agree that additional time is needed to complete discovery. In light of the circumstances described above, we ask that the deadlines for fact discovery and the motion deadline be extended to November 7, 2008 and that the conference currently scheduled for September 24, 2008 be rescheduled, at the Court's convenience, for a date after November 7, 2008.

S. Gordon
Steele
VSD
9.8.08

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Thank you for your consideration of this matter.

Very truly yours,

Fran L. Rudich

Fran L. Rudich

cc: Katherine Forster, Esq. (via e-mail)
Brian Bromberg, Esq. (via e-mail)

KOL